

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### ARIZONA MEDICAL BOARD

[R05-156]

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 16, Arizona Medical Board  
**Article and its heading:** 1, General Provisions  
4, Medical Assistants  
**Section numbers:** R4-16-101, R4-16-401, R4-16-402, and R4-16-403
2. **The subject matter of the proposed rule:**  
In this rulemaking the Board will take the following actions:
  - a. Move Article 4's single definition under R4-16-401 into lead Chapter 16 Section R4-16-101 for definitions applicable to the entire Chapter;
  - b. Renumber remaining Article 4 Sections as R-4-16-401 and R4-16-402 for efficiency after moving the definition to Article 1;
  - c. Update the incorporation by reference of the Commission on Accreditation of Allied Health Education Program's "Standards and Guidelines for an Accredited Educational Program for the Medical Assistant" to reflect the 2003 published standards; and
  - d. Make other lexical, stylistic, or syntactical changes to reflect current publication standards of the Governor's Regulatory Review Council and the Secretary of State.
3. **A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: George R. Pavia, Rules/Policy Analyst  
Address: 9545 E. Doubletree Ranch Rd.  
Scottsdale, AZ 85258-5514  
Telephone: (480) 551-2769  
Fax: (480) 551-2828  
E-mail: gpavia@azmdboard.org  
Please visit the Board web site to track progress of this rule and any other agency rulemaking matters at [www.azmdboard.org](http://www.azmdboard.org).
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
An interested person may deliver oral or written comment to the officer listed in item #4 from 8 a.m. to 5 p.m., Monday through Friday except state holidays.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

### NOTICE OF RULEMAKING DOCKET OPENING

#### ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION

[R05-153]

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System – Administration  
**Article and its heading:** 12, Behavioral Health Services  
**Section numbers:** R9-22-1203 (As part of the rulemaking, other sections may be added, deleted, or amended as necessary.)

*Arizona Administrative Register / Secretary of State*  
**Notices of Rulemaking Docket Opening**

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**2. The subject matter of the proposed rule:**

This rulemaking amends provisions regarding eligibility for behavioral health services.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Jane McVay  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4135  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@ahcccs.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

Unknown at this time

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM**

**HEALTH CARE FOR PRIVATE EMPLOYER GROUPS/AHCCCS ADMINISTERED**

[R05-151]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

27, Arizona Health Care Cost Containment System – Health Care for Private Employer Groups/AHCCCS Administered

**Article and its heading:**

7, Standard for Payments

**Section numbers:**

R9-27-701, R9-27-702, R9-27-703, R9-27-704, R9-27-705, R9-27-706, R9-27-707, and R9-27-708 (As part of the rulemaking, other sections may be added, deleted, or amended as necessary.)

**2. The subject matter of the proposed rule:**

These rules outline the general standards of payments applicable to health care group plans. The proposed rules will be a result of a required review to ensure the applicability and validity of the rule.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Mariaelena Ugarte  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4580  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@ahcccs.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. A public hearing will be scheduled later to provide a forum for interactive discussion with interested parties.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

The Administration anticipates filing a Notice of Proposed Rulemaking in May 2005.

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
ARIZONA LONG-TERM CARE SYSTEM

[R05-154]

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 28, Arizona Health Care Cost Containment System – Arizona Long-Term Care System  
**Article and its heading:** 11, Behavioral Health Services (As part of the rulemaking, other articles may be added, deleted, or amended as necessary.)  
**Section numbers:** R9-28-1103 (As part of the rulemaking, other sections may be added, deleted, or amended as necessary.)
2. **The subject matter of the proposed rule:**  
This rulemaking amends provisions regarding eligibility for behavioral health services.
3. **A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Jane McVay  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4135  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@ahcccs.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Unknown at this time

NOTICE OF RULEMAKING DOCKET OPENING  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
REMEDIAL ACTION

[R05-150]

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 7, Department of Environmental Quality – Remedial Action  
**Article and its heading:** 6, Declaration of Environmental Use Restriction Fee  
**Section numbers:** R18-7-601 to R18-7-606 (As part of the rulemaking, other sections may be added, deleted, or amended as necessary.)
2. **The subject matter of the proposed rule:**  
This is a permanent rulemaking to replace an interim fee rule, pursuant to 2000 Arizona Session Laws Ch. 225, § 13. It would establish a fee, which a property owner is required, pursuant to A.R.S. §§ 49-152(K) and 49-158(G), to pay to the Arizona Department of Environmental Quality when a declaration of environmental use restriction (DEUR) is submitted to the Department for approval, prior to being recorded. A DEUR is a restrictive covenant that must be recorded when an owner elects to use either an institutional control (i.e., a legal or administrative limitation on activities or uses) or an engineering control (e.g., a slab, cap, fence, liner, berm, leachate collection system, or pump and treat technologies), to prevent or minimize exposure to contaminants on the property, or when an owner elects to leave contamination on the property that exceeds the applicable residential soil remediation standard for the property. The Department will continue to evaluate its experience with fees paid under the interim DEUR fee rule, to ascertain any way in which the fee should be revised for the permanent rule.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 10 A.A.R. 2085, May 21, 2004

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**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Ren Willis-Frances  
Address: 1110 W. Washington St.  
Phoenix, AZ 85007  
Telephone: (602) 771- 4109  
Fax: (602) 771- 2302  
E-mail: willis-frances.ren@azdeq.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be published in the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be published in the Notice of Proposed Rulemaking